

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

First Named Inventor: Daniel P. Drogichen	§	Examiner:	Pan, Daniel H.
	§		
Application Number: 09/920,433	§	Group/Art Unit:	2183
	§		
Filing Date: August 1, 2001	§	Atty.Dkt.No.:	5181-92401
	§		
Title: MULTIPROCESSOR	§	Conf. No.:	6379
COMPUTER HAVING	§		
CONFIGURABLE HARDWARE	§		
SYSTEM DOMAINS	§		
	§		
	§		

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant is in receipt of the Notice of Non-Compliant Appeal Brief mailed on June 12, 2007. Applicant is filing an amended Appeal Brief along with this paper.

The Examiner indicated two reasons why the previously filed brief was found to be non-compliant. Each of these reasons is addressed below.

1) The Examiner objects to the Summary of the Claimed Subject Matter, stating: “The summary of invention does not include a concise explanation of each of the independent claims. In page 6 of the amendment on 1/29/07, it includes copy of independent claim 1 with references to page and line numbers in the specification. However, no concise explanation can be found regarding independent claim 1.” *See* Notice of Non-Compliant Appeal Brief at 2. The Examiner continues: “Summary of Invention requires somewhat more detail than simply summarizing the invention” *Id.* The relevant portion of the controlling regulation describes the required contents of the “Summary of claimed subject matter” as follows:

A concise explanation of the subject matter defined in each of the independent

claims involved in the appeal, which shall refer to the specification by page and line number, and to the drawing, if any, by reference characters.

See 37 C.F.R. § 41.37(c)(v). The Examiner admits that Applicant has included the required “references” to the specification by page and line number. From a telephone conference with the Examiner on July 12, 2007, the Examiner’s position is that these references do not constitute a “concise explanation” of the claimed subject matter; that is, something more than a recitation of column/line numbers and drawing reference designations is required by the CFR. The Examiner was able to offer no support (e.g., in the MPEP) for this interpretation of the regulation.

In spite of disagreeing with the Examiner’s position, in order to advance prosecution, Applicant has added a “concise explanation” of each independent claim on appeal in a manner that is believed to address the Examiner’s concerns. Given the similarities between certain independent claims, the explanation of certain independent claims points out differences between other claims previously explained. If, upon receipt of this Appeal Brief, the Examiner continues to believe a “concise explanation” of one or more claims has not been supplied, the Examiner is urged to contact the undersigned to resolve any remaining objections.

2) The Examiner objected to the lack of identification of corresponding structure for limitations in claims 21, and 23-25. Applicant has amended the instant Appeal Brief to indicate that these claims are no longer being separately argued. Accordingly, Applicant submits that this objection has been overcome.

As a result of the foregoing, Applicant respectfully submits that the presently amended Appeal Brief is compliant with 37 C.F.R §41.37. The Examiner is kindly requested to enter the presently amended Appeal Brief submitted with this paper.

Respectfully submitted,

Date: July 12, 2007

By: /Dean M. Munyon/
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